

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (BRIARS LANE, HOLLIERS WAY AND HILLCREST, HATFIELD) (PROHIBITION OF STOPPING AND RESTRICTION OF WAITING) ORDER 2013

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in Hatfield as specified in Schedules 1 and 2 to this Notice. The Order will come into effect on Monday 24 August 2015.

Documents giving more detailed particulars of the Order may be inspected from 22 July 2015 to 2 September 2015 during normal office hours at the offices of Welwyn Hatfield Council, Council Offices, The Campus, Welwyn Garden City and at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford or viewed at www.hertsdirect.org/trafficorders by clicking on the relevant local area (Quoting Ref: WH/005/13)

Enquiries relating to the Order should be referred to the TRO Officer concerned Nichola Martin tel: 01992 658364 or nichola.martin@hertfordshire.gov.uk

Any person wishing to question the validity of the Order, or of any provision contained in it, on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of the Act or any Instrument made under it has not been complied with in relation to the Order, may within 6 weeks from the date of this Notice apply to the High Court for this purpose.

SCHEDULE 1: No waiting at any time – effecting those sections of road listed below and as set out in the Order and accompanying plan - Parts of Briars Lane, Holliers Way and Hillcrest

SCHEDULE 2: No stopping or waiting on the 'School Keep Clear' Markings 8.00am to 5.00pm Monday to Friday (during school term time) – effecting that section of road listed below and as set out in the Order and accompanying plan –
Briars Lane in the vicinity of New Briars School

County Hall
Hertford
Herts SG13 8DN

22 July 2015
John Wood
Chief Executive & Director of Environment

STATEMENT OF REASONS FOR MAKING

THE HERTFORDSHIRE (BRIARS LANE, HOLLIERS WAY AND HILLCREST, HATFIELD) (PROHIBITION OF STOPPING AND RESTRICTION OF WAITING) ORDER 2013

The Hertfordshire County Council is proposing to introduce waiting restrictions in order to improve road safety in part of Hatfield.

The proposals include:

- 'No waiting at any time' restrictions on parts of Briars Lane, Holliers Way and Hillcrest.
- 'No stopping or waiting during school term time on the 'School Keep Clear Markings 9.00am to 5.00pm Monday to Friday' restrictions on part of Briars Lane.

The purpose of the TRO is to maintain access to school premises, preventing parking at junctions in the vicinity and outside of school premises at school drop off and pick up times thereby avoiding the impairment of visibility and to maintain free flow of traffic on the existing highway.

It appears to the Highway Authority that it is necessary and expedient to make the Order in the interests of avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising and for facilitating the passage on the road or any other road of any class of traffic (including pedestrians).

The proposal has been subject to consultation with local and County Councillors representing the area and Welwyn Hatfield Borough Council. The local Police, Ambulance, Fire and Rescue Services, Hertfordshire County Council Passenger Transport Unit, Hatfield Town Council, local schools and residents have also been consulted.

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 17 July 2015
Order No: 7912

**THE HERTFORDSHIRE (BRIARS LANE, HOLLIERS WAY AND HILLCREST, HATFIELD)
(PROHIBITION OF STOPPING AND RESTRICTION OF WAITING) ORDER 2013**

The Hertfordshire County Council in exercise of their powers under Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is hereinafter referred to as "the Act of 1984"), and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984, hereby makes the following Order:-

1. This Order may be cited as "The Hertfordshire (Briars Lane, Holliers Way and Hillcrest, Hatfield) (Prohibition of Stopping and Restriction of Waiting) Order 2013" and shall come into effect on Monday 24 August 2015.
2. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of Briars Lane, Holliers Way and Hillcrest, Hatfield as specified in Schedule 1 to this Order.
3. (1) Save as provided in Article 4 of this Order no person shall cause or permit any vehicle to stop or wait between the hours of 8.00am to 5.00pm Monday to Friday during school term time on the school keep clear markings on that length of Briars Lane, Hatfield as specified in Schedule 2 to this Order.

(2) In this Article
"school term time" has the meaning – as those days of the year which have been determined by the education authority as school days in accordance with the provisions of Section 32 of The Education Act 2002.
4. (1) Nothing in Articles 2 and 3 of this Order applies to the lengths of road restricted by those Articles (which said lengths of road are referred to in this Article as "the restricted area") in relation to –
 - (a) a vehicle being used for Fire and Rescue, Ambulance or Police purposes.
 - (b) anything done with the permission of or at the direction of a Police Constable in uniform; or with permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Welwyn Hatfield Borough Council.
 - (c) a vehicle which is prevented from proceeding by circumstances beyond the drivers control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law;
 - (d) a vehicle which is stationary in order that it may be used for one or more of the purposes specified in sub-Article (2) of this Article and which cannot reasonably be used for such a purpose without stopping in the restricted area;
 - (e) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be delivered or collected;

In this Article -

The expressions "universal service provider", "provision of a universal postal Service" and "postal packet" shall bear the same meanings as in Section 65 of the Postal Services Act 2011.

- (2) The "purposes" referred to in sub-Article (1)(d) of this Article are –

- (a) any operation involving building, demolition or excavation;
- (b) the removal of any obstruction to traffic;
- (c) the maintenance, improvement or reconstruction of a road;
- (d) constructing, improving, maintaining, or cleaning of any street furniture; or

- (e) the laying, erection, alteration, repair or cleaning of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus kept or installed for the purposes of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position.
5. Nothing in Article 2 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred to in this Article as "the restricted area") so as to render it unlawful to cause or permit any vehicle to wait only for so long as may be reasonably necessary –
- (a) to enable goods to be loaded on or unloaded from the vehicle from or to premises adjacent to the restricted area; or
- (b) to enable a passenger to board or alight and to load and unload any luggage.
6. (1) Nothing in Article 2 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc, to wait at any time in the lengths of road specified in Schedule 1 of this Order for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road).
- (2) In this Article –
- "disabled person's vehicle" has the same meaning as in Section 142(1) of the Act of 1984;
- "disabled person's badge" has the same meaning as given in Regulation 3(1) of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000
- "parking disc" has the same meaning as given in Regulation 8(5) of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and
- "relevant position" has the same meaning as given in Regulation 4 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000
7. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
8. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

SCHEDULE 1

lengths of Briars Lane, Holliers Way and Hillcrest, Hatfield – no waiting at any time

- | | |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Briars Lane
(south west side) | (a) from a point in line with the projected north west kerbline of Holliers Way north westwards for approximately 13 metres to a point 3 metres south east of a point in line with the south east boundary of 43 Briars Lane. |
| | (b) from a point in line with the projected south east kerbline of Holliers Way south eastwards for approximately 12 metres to a point 2 metres north west of a point in line with the north facia wall of 66 Briars Lane. |
| (east / north east sides) | from a point 14 metres south of a point in line with the northern boundary of 82 Briars Lane southwards and south eastwards for approximately 18 metres to a point 6 metres north west of a point in line with the east facia wall of 90 Briars Lane. |
| Briars Lane / Hillcrest
(west / north west sides) | from a point 6 metres north of a point in line with the northern boundary of 82 Briars Lane southwards and south westwards for approximately 42 metres to a point 10 metres south west of a point in line with the boundary between 86 and 88 Briars Lane. |
| (south east /
south west sides) | from a point 1 metre south west of a point in line with the boundary between 1 Hillcrest and 90 Briars Lane north eastwards and south eastwards for approximately 18 metres to a point 10 metres north west of a point in line with the east facia wall of 90 Briars Lane. |

Holliers Way
(both sides)

from its junction with the south west kerbline of Briars Lane south westwards
for approximately 16 metres to a point 25 metres north east of a point in line
with the north east boundary of 2 Holliers Way.

SCHEDULE 2

length of Briars Lane, Hatfield – no stopping or waiting on the 'School Keep
Clear Markings' 8.00am to 5.00pm Monday to Friday during school term time

Briars Lane (north east side) from a point in line with the south east boundary of 43 Briars Lane south eastwards
for approximately 59 metres to a point 16 metres north west of a point in line with
the north facia wall of 80 Briars Lane.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed
this 17th day of July 2015.

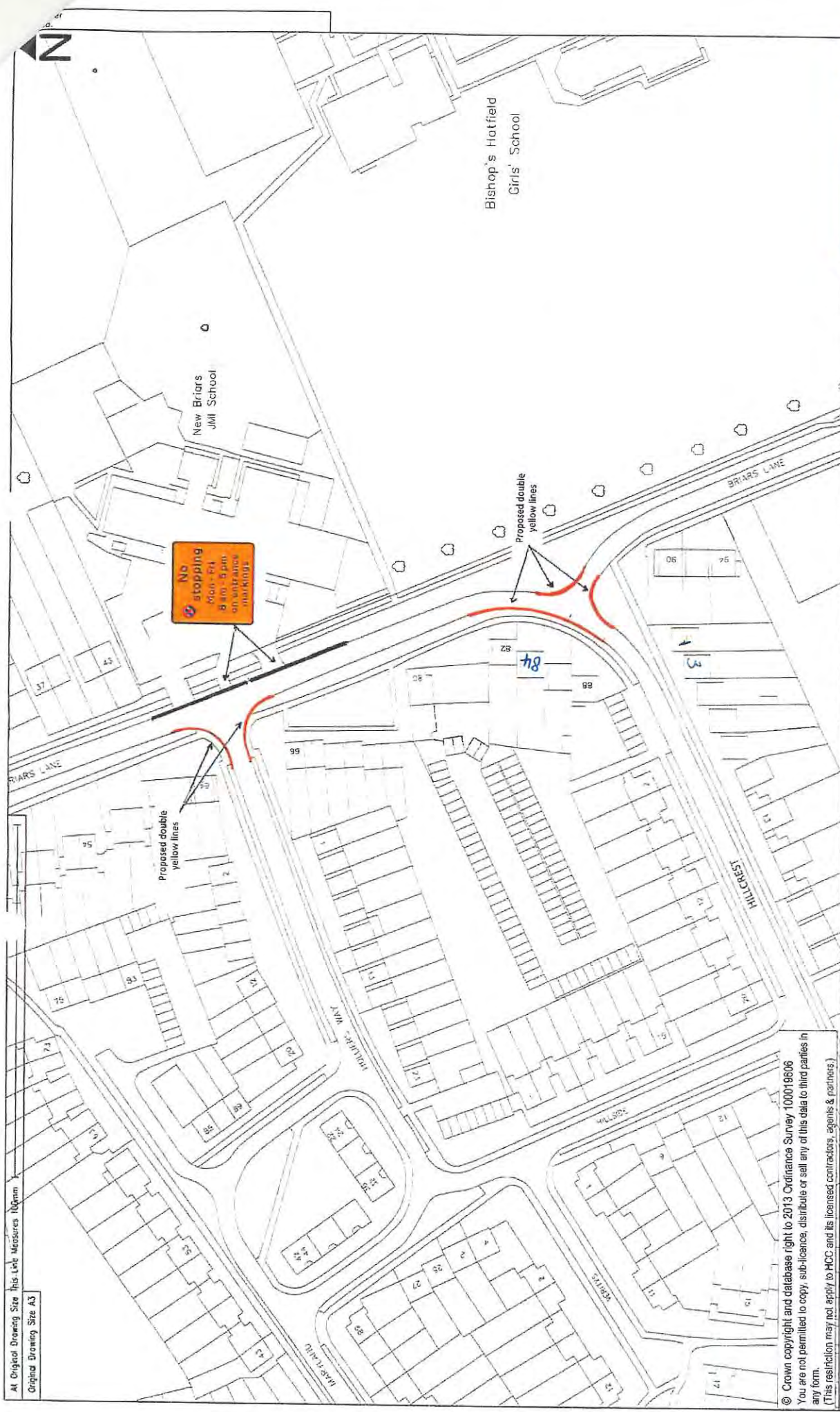
The Common Seal of)
Hertfordshire County Council)
was hereunto affixed)
in the presence of:-)


Kathryn Pettitt

Chief Legal Officer

11/54/15





Project No.		Dwg. No.		Rev.												
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CD	Draw	Checked/Approved														
Scale		Drawing Title PROPOSED TRAFFIC ORDER														

Notes

Revision with Dates

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At Original Drawing Size This Line Measures 100mm
 Original Drawing Size A3